

REMARKS

The application has been amended so as to place it in condition for allowance at the time of the next Official Action.

The Official Action objected to the drawings. Claims 15 and 17 have been cancelled to overcome this objection.

The Official Action rejected claims 9-28 under \$112, second paragraph, as being indefinite.

The claims have been amended to remedy the stated bases of rejection.

Accordingly, withdrawal of the indefiniteness rejection is solicited.

Applicant acknowledges with appreciation that the Official Action indicated that claims 10, 12, 14-16, 19, 22, 24, and 26-28 were directed to allowable subject matter.

The Official Action rejected claims 9, 11, 20, and 23 under \$102 as being anticipated by PARIS 5,899,483.

The Official Action rejected claims 13, 17 and 25 under \$103 as obvious over PARIS in view of GIGNOUX 6,105,993; and claims 18 and 21 over PARIS in view of QUINTANA et al. 5,947,507.

The independent claims have been further amended to clearly distinguish over PARIS and are believed to patentably recite the present invention.

PARIS discloses a heel release 7 mounted pivotally on an axis 9 and comprising a part 18 located under the axis 9

adapted to bear under a part 11 of the shoe when the shoe is in position in the device.

However, the part 11 is an integral part of the shoe, i.e., the part 11 cannot be removed from the shoe. In contrast, the invention includes a removable heel piece (41), which heel piece is removably fixed to the shoe.

Also, the independent claims have been amended to recite the further difference that the heel piece is removably engaged between two stop means (6) provide on each lateral base wing of the base. See Figure 2.

Nor would it be obvious to modify PARIS as PARIS includes a spring 20 secured to the base 8 of the fixing device, the spring 20 having a hook cooperating with part 11 and part 18 of the heel piece 7. Such hook 20 is an essential part of the PARIS device. There would be no motivation to modify PARIS to that recited by the presently amended independent claims.

Nor does PARIS suggest a removable heel piece.

Applicant's invention advantageously provides a device that can be used with all types of shoes, because heel piece 41 can be removably fixed to all types of shoes, whereas the PARIS device requires a particular shoe have two lateral pins 11, 12 which pins are integral parts of the shoe (column 3, lines 63-64).

Applicant has carefully studied the other applied references and does not find that they provide the features missing from PARIS.

Therefore, reconsideration and allowance of all the pending claims are respectfully requested.

In view of the above, applicant believes that the present application is in condition for allowance and an early indication of the same is respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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